REMARKS/ARGUMENTS

Claims 1-30 are pending in the application. Claims 1, 4, 7, 11, 14, 17, 21, 24, and 27 have been amended. Reconsideration is respectfully requested. Applicants submit that the pending claims 1-30 are patentable over the art of record and allowance is respectfully requested of claims 1-30.

Applicants would like to thank Examiner Tran for holding a telephone interview with their representative on December 10, 2004 at 1:00 p.m. (EST). During the telephone interview, the drawing objections and the 35 U.S.C. 112 rejections were discussed. Applicants are submitting arguments below to overcome these objections and rejections.

In paragraph 1, the Office Action objects to the drawings under 37 CFR 1.83 (a) as the drawings must show every feature of the invention specified in the claims. In particular, the Office Action submits that the step of assigning a storage element count to each one of multiple logical storage libraries must be shown or the feature cancelled from claims 4-10, 14-20, and 24-30. Applicants traverse these objections for the following reasons. Applicants submit that Figure 8, block 800 illustrates "assigning a host storage element count equal to the maximum number of storage slots that may be in the library to or more logical libraries." Thus, the feature of assigning a storage element count is met with the language of "assign a host storage element count" in block 800, and the feature of assigning to each one of multiple logical storage libraries is met with the language of assigning to "one or more logical libraries" in block 800. Applicants respectfully request that the drawing objections be withdrawn.

In paragraph 3, the Office Action rejects claims 4-10, 14-20, and 24-30 under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The Office Action submits that the specification is silent as to the specifics of assigning a storage element count to each one of multiple logical libraries. Applicants traverse these rejections for the following

reasons. Applicants submit that the Specification, at, for example, page 20, line 13 - page 21, line 24 provides the specifics of assigning the storage element count of each one of multiple logical libraries. In particular, each logical library may be assigned a storage element count equal to the total number of storage slots in the physical library (Specification, page 20, lines 15-17). For example, if the maximum size of a library is 6000 storage slots, the number of available host storage elements in every logical library may be reported to be 6000 storage elements (Specification, page 21, lines 11-13). That is, each logical library is assigned a host storage element count of 6000.

As to claims 24 and 27, the Office Action submits that the structural support for the "means for assigning a storage element count to each of multiple logical libraries" is not available in the Specification. Applicants traverse these rejections for the following reasons. Applicants submit that Figure 1 and Figure 10 and the Specification at page 5, line 23 - page 9, line 25 and page 25, lines 9-27 illustrate an architecture that provides structural support for the "means" for assigning the storage element count to each of multiple logical libraries.

As to claims 26, 27, and 29, the Office action submits that the structural support for the "means for adding new storage slots" and "means for allowing one or more of the multiple logical libraries to be associated with any storage slot in a library" are not available in the Specification. Applicants traverse these rejections for the following reasons. Applicants submit that Figure 3 and the Specification at page 16, lines 25-27 illustrates that an additional frame may be add to expand the capacity of a library. For example, if a library has 6 frames, then a 7th frame may be added to get access to the new storage slots provided by the 7th frame (Specification, page 21, lines 8-10). Also, Applicants submit that Figure 1 and Figure 10 and the Specification at page 5, line 23 - page 9, line 25 and page 25, lines 9-27 illustrate an architecture that provides structural support for the "means" for allowing one or more of the multiple logical libraries to be associated with any storage slot in a library.

Therefore, Applicants respectfully request that these rejections be withdrawn.

In paragraph 5, the Office Action rejects claims 4, 7, 14, 17, 24, and 27 under 35 U.S.C. 112, second paragraph as "multiple logical libraries" and "logical libraries" lack positive identification. Applicants have amended the claims to clarify these terms and to overcome the rejection.

In paragraph 7, the Office Action rejects claims 1-3, 11-13, and 21-23 under 35 U.S.C. §102(b) as being anticipated by Jesionowski et al. (U.S. Patent No. 6,338,006). Applicants traverse these rejections for the following reasons.

Amended claims 1, 11, and 21 describe receiving a move command to move a portable data storage medium from a source data transfer element address to a destination storage element address, locating an empty storage slot that has no association with the destination storage element address, moving the portable data storage medium from the source data transfer element address to the located empty storage slot; storing an association between the located empty storage slot and the destination storage element address (e.g., see Figure 7). On the other hand, the Jesionowski patent describes movement from an I/O slot to a storage slot (Figure 4) or from a storage slot to an I/O slot (Figure 5). Therefore, the Jesionowski patent does not anticipate the subject matter of claims 1, 11, and 21.

Dependent claims 2-3, 12-13, and 22-23 incorporate the language of independent claims 1, 11, and 21 and add additional novel elements. Therefore, dependent claims 2-3, 12-13, and 22-23 are not anticipated by the Jesionowski patent for at least the same reasons as were discussed with respect to claims 1, 11, and 21.

In paragraph 9, the Office Action rejects claims 4-10, 14-20, and 24-30 under 35 U.S.C. §103(a) as being unpatentable over Jesionowski et al. (U.S. Patent No. 6,338,006) in view of Basham et al. (U.S. Patent No. 6,425,059). Applicants traverse these rejections for the following reasons.

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The Office Action submits that the Jesionowski patent is silent as to the specifics of a library having multiple logical libraries. Applicants submit that the Basham patent does not overcome the deficiencies of the Jesionowski patent.

Claims 4, 14, and 24 describe assigning a storage element count to each one of multiple logical libraries, wherein the sum of the storage element count for each one of the multiple logical libraries exceeds the total number of storage slots in the library, wherein the library is partitioned into the multiple logical libraries The Basham patent merely describes slots partitioned into multiple logical libraries. There is no teaching or suggestion in the Basham patent for assigning a storage element count to each one of the multiple logical libraries, wherein the sum of the storage element count for each one of the multiple logical libraries exceeds the total number of storage slots in the library. Therefore, claims 4, 14, and 24 are not taught or suggested by the Jesionowski patent or the Basham patent, either alone or in combination.

Dependent claims 5-6, 15-16, and 25-26 incorporate the language of independent claims 4, 14, and 24 and add additional novel elements. Therefore, dependent claims 5-6, 15-16, and 25-26 are not anticipated by the Jesionowski patent for at least the same reasons as were discussed with respect to claims 4, 14, and 24.

Claims 7, 17, and 27 describe assigning a storage slot count greater than a total number of storage slots in a library to one or more logical libraries, wherein the library is partitioned into the one or more logical libraries, adding new storage slots to the library, and allowing one or more of the logical libraries to be associated with the newly added storage slots. The Basham patent merely describes slots partitioned into multiple logical libraries. There is no teaching or suggestion in the Basham patent for assigning a storage slot count greater than a total number of storage slots in a library to one or more logical libraries, wherein the library is partitioned into the one or more logical libraries, adding new storage slots to the library, and allowing one or more of the logical libraries to be associated with the newly added storage slots. Therefore,

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claims 7, 17, and 27 are not taught or suggested by the Jesionowski patent or the Basham patent, either alone or in combination.

Dependent claims 8-10, 18-20, and 28-30 incorporate the language of independent claims 4, 14, and 24 and add additional novel elements. Therefore, dependent claims 8-10, 18-20, and 28-30 are not anticipated by the Jesionowski patent for at least the same reasons as were discussed with respect to claims 7, 17, and 27.
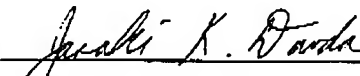
Conclusion

For all the above reasons, Applicants submit that the pending claims 1-30 are patentable over the art of record. Applicants have not added any claims. Nonetheless, should any additional fees be required, please charge Deposit Account No. 09-0449.

The attorney of record invites the Examiner to contact her at (310) 553-7973 if the Examiner believes such contact would advance the prosecution of the case.

Dated: December 14, 2004   By: _____

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